

JUN 16 2006

## FAX TRANSMISSION

DATE: June 16, 2006

PTO IDENTIFIER: Application Number 10/675399-Conf. #6490  
Patent Number

Inventor:

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: FOLEY HOAG LLP

Ruth J. Ma

PHONE: (617) 832-1257

Attorney Dkt. #: NTK-00601

PAGES (Including Cover Sheet): 5

CONTENTS: Information Disclosure Statement (2 pages)  
Form SB08/a/b (1 page)  
Reference "CA" (12 pages)  
Charge \$180.00 to deposit account 06-1448  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 832-1257 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

FOLEY HOAG LLP  
155 Seaport Blvd, Boston, Massachusetts 02210  
Telephone: (617) 832-1000 Facsimile: (617) 832-7000

JUN 16 2006

PTO/SB/97 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031  
U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

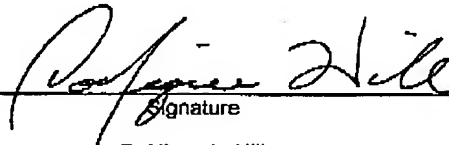
Application No. (if known): 10/675399

Attorney Docket No.: NTK-00601

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on June 16, 2006  
Date



Signature

DoNique L. Hill

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 988-3590

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

IDS (Citation) by Applicant (3 References) (1 page)

Information Disclosure Statement (2 pages)

Charge \$180.00 to deposit account 06-1448

RECEIVED  
CENTRAL FAX CENTER

JUN 16 2006

Docket No.: NTK-00601  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Christopher W. Midgley

Application No.: 10/675399

Confirmation No.: 6490

Filed: September 30, 2003

Art Unit: N/A

For: SYSTEMS AND METHODS FOR BACKING  
UP DATA FILES

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark

06/19/2006 TL0111 00000030 061448 10675399  
01 FC:1806 180.00 DA

Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 06-1448 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-1448, under Order No. NTK-00601. A duplicate copy of this paper is enclosed.

Dated: June 16, 2006

Respectfully submitted,

By   
Ruth J. Ma

Registration No.: 55,414  
FOLEY HOAG LLP  
155 Seaport Blvd  
Boston, Massachusetts 02210  
(617) 832-1257  
Attorney for Applicant

**RECEIVED  
CENTRAL FAX CENTER**

**JUN 16 2006**

PTO/SB/D83/b (07-05)

Approved for use through 07/31/2008, OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>			
		Application Number	10/675399-Conf. #6490		
		Filing Date	September 30, 2003		
		First Named Inventor	Christopher Midgley		
		Art Unit	2163		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	1	Attorney Docket Number	NTK-00601

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA*	US-6,675,177	01-06-2004	Webb	
	AB*	US-20030101321-A1	05-29-2003	Ohran	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.88(a)(2)(III)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	CA	MOHAN, C., et al., "ARIES/CSA: A Method for Database Recovery in Client-Server Architectures," Sigmod 94-5/94.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 808. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--